IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 7864 of 2005

Between:

Mokina Govindu, S/o.Krishna Rao
R/o.Sriramapuram Village, Payakaraopeta Mandal, Visakhapatnam District.

..... PETITIONER

AND

1 The District Collector Visakhapatnam District, Visakhapatnam.
2 The Revenue Divisional Officer Narsipatnam, Visakhapatnam District.
3 The Mandal Revenue Officer, Payakaraopeta, Visakhapatnam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ order or direction more particularly a writ in the nature of Mandamus directing the respondents not to dispossess the petitioner from an extent of Ac1.51 cents in S.No.162/8B of Sriramapuram Village, Payakaraopeta, Mandal, Visakhapatnam District which was assigned to the petitioner under D form Patta bearing No.581/1408/99 dt.30.6.99 without canceling the same or except following the procedure contemplated under the law.

Counsel for the Petitioner:MR.M.S.R.SUBRAHMANYAM

Counsel for the Respondents: GP FOR REVENUE

The Court made the following :

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THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 7864 of 2005

O R D E R:

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The petitioner claims to be a landless poor person. It is stated that the third respondent, the Mandal Revenue Officer issued D-Form patta in his favour on 30-06-1999 in respect of an extent of Ac.1-51 cents of Grama Kantham land in Survey No.162/8**,** Sirirampuram village, Payakaraopeta Mandal, Visakhapatnam District, which was already in his occupation. It is claimed that he has made the said land fit for cultivation and has been continuing in possession and enjoyment. However, due to the political pressures, the third respondent, the Mandal Revenue Officer has been taking steps to dispossess the petitioner and to assign the said land to third parties. Aggrieved by the said action of the third respondent, this writ petition is filed contending that since the pattas granted in his favour is subsisting, the third respondent is not justified in taking steps to dispossess him highhandedly.

Having heard the learned counsel for the petitioner and the leaned Government Pleader for Revenue appearing for the respondents, the writ petition is disposed of with a direction to the respondents not to dispossess the petitioner from the land-in-question, without following due process of law, if the patta granted in his favour is subsisting as on today. No costs.

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(**G. ROHINI, J**)

Date: 08-04-2005

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To

1 The District Collector Visakhapatnam District, Visakhapatnam.
2 The Revenue Divisional Officer Narsipatnam, Visakhapatnam District.
3 The Mandal Revenue Officer, Payakaraopeta, Visakhapatnam District.

4 Two C.Cs to the Government Pleader for Revenue, High Court

Buildings, A.P., Hyderabad (OUT)

5 Two C.D copies.